

Dear Henry,

2/8/83

There is a single pair of field office records the FBI went to great trouble to hide at FBIHQ and in all the field offices of which I know, save one. The New Orleans copy of one of these records could be valuable as well as interesting. I now think there is no chance of compelling its production in that FOIA case. I'm writing to see if you have time to ask for it. Here is the story.

In anticipation of Congressional interest, if my recollection is correct, EGCA's, FBIHQ sent each field office a directive to provide a list and description of its various records pertaining to Dr. King, his family, close associates and organization. It sent each field office a similar directive pertaining to JFK assassination main files.

In my King case, the FBIHQ King assassination file did not hold the directive or 58 of the responses. By an accident of honest filing, the Chicago response was filed where it belongs. I thus knew about it. I asked the FBI for the other 58 and it merely lied and said there were no others, that this was a Chicago one-shot.

When I got the Dallas JFK records I found its response. It identified important records knowledge of which had been suppressed. Like that vast index, etc.

There is nothing at all in any of the New Orleans main files, as provided.

I believe that the explanation, in all cases, is filing elsewhere. By filing elsewhere these valuable records which could confound the FOIA requester or the Congress simply would not show in the main files. The FBI could search the main files and report honestly that no such records are in them.

If you could ask the New Orleans office for its JFK response, of early 1976, it has no backlog and it can't take forever to respond. If I ask I'll be told it is involved in litigation and get nowhere, even if it is not produced in that litigation.

If it is produced we may learn of valuable JFK assassination records. If I do not ask for it, it might be produced.

If you write the N.O. field office and tell them what the FBI knows already, that you are working on a book and would appreciate prompt processing, it will probably reach SA Anderson, who has handled these things and is the case agent on my cases. He may not be aware that the record exists or is not in the main files. But given the approximate date a real search requires little effort on his part and there is always the chance that he or another agent will see no reason for not processing it.

If you just tell N.O. that you've heard that such a listing was requested by FBIHQ and provided by N.O. in about early 1976, I think it would not take much time. I'd appreciate it.

Remember my caution about Braden and my suggestion that others might be tempted to file frivolous suits for their own reasons? Something like this has just happened to Dave Garrow from whom I heard last night. I sent him the records he needs to, I think, end the case before trial, but it has been a nuisance to him.

Three Memphis NAACP officials were FBI informants and they provided the FBI with info about black they did not like a little before the assassination. Two are a man and wife named Smith. Dr. Smith admitted he was an informant publicly after Garrow's book appeared and gave his own explanation of it. Since then his wife and the other man filed suit. Even though without question all three were real informers, each having a separate 170 or "extremist informants" files the numbers of which I've sent Garrow, along with a report saying all three have provided dependable information. Who'd have expected a suit? And why did they file a suit they can't win? Best,